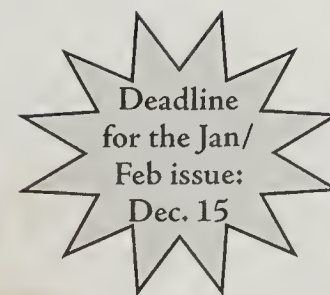




# Sheffield TIMES



Community News for Sheffield & Ashley Falls, MA SECOND GENERATION Special Supplement, Nov. 2006

## THIS SPECIAL ISSUE IS A COMMUNITY SERVICE FROM THE SHEFFIELD TIMES

To help Sheffield's voters make decisions at the special town meeting at 7pm on Mon., Dec. 9, the *Sheffield Times* is mailing this special issue with the official meeting warrant to all Sheffield residents. Registered voters can vote, interested non-voters may be given permission to address the meeting by the meeting.

Article 7 refers to a booklet detailing the proposed updating of the format of zoning by-laws. That booklet is posted on the town website ([www.sheffieldma.gov](http://www.sheffieldma.gov)) and is also available at the Town Clerk's office.

The Sheffield Association,  
Publisher of the *Sheffield Times*

### WARRANT for the SPECIAL TOWN MEETING Town of Sheffield Commonwealth of Massachusetts Berkshire, ss

To the Constables of the Town of Sheffield in said County,  
Greeting:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the Inhabitants of the Town of Sheffield, qualified to vote in Town affairs, to meet in the auditorium of the Mt. Everett Regional High School on Berkshire School Road in Sheffield on Monday, December 4, 2006, at 7:00 P.M. for the following purposes:

ARTICLE 1: To see if the town will vote to adopt the following bylaw, or take any other action relative thereto:  
Chapter 26. Council on Aging.

#### §26-1. Establishment; purpose.

The town establishes a council on aging of up to nine (9) members, for the purpose of coordinating and carrying out programs designed to meet the problems of the aging in coordination with programs of the department of elder affairs as is enumerated in Massachusetts General Laws Chapter 40, Section 8B, and as may be amended.

#### §26-2. Appointment of members; terms.

Said members shall be appointed by the Selectmen for terms of three (3) years, with no more than three (3) terms expiring in any one year. In the event of a vacancy occurring on the Council, the Board of Selectmen may appoint a new member for the remainder of the unexpired term.

ARTICLE 2: To see if the town will vote to raise and appropriate, transfer from available funds, or to reallocate funds appropriated under Article 16 of the May 4, 1998 Annual Town Meeting, \$4,500 to be added to the Fiscal Year 2007 American Legion budget or take any other action relative thereto.

ARTICLE 3: To see if the town will vote to raise and appropriate or transfer from available funds, \$8,000 to be added to the Fiscal Year 2007 Inspectional Services budget, or take any other action relative thereto.

ARTICLE 4: To see if the town will vote to raise and appropriate or transfer from available funds, \$3,025 to be added to the Fiscal Year 2007 Board of Assessors budget, or take any other action relative thereto.

ARTICLE 5: To see if the Town will vote to delete Chapter 215 (Zoning) of the Town of Sheffield Codification of Bylaws in its entirety, as the provisions dealing with the subject matter of Chapter 215 are included separately in the Sheffield Zoning By-Laws, or take any other action relative thereto.

ARTICLE 6: To see if the Town will vote to accept the provisions of Massachusetts General Laws Chapter 39, Section 23D, which provides that a member of any municipal board, committee, or commission – including, but not limited to, the Planning Board, the Zoning Board of Appeals, the Conservation Commission, and the Ashley Falls Historic District Commission – when holding an adjudicatory hearing shall not be disqualified from voting on the matter solely due to that member's absence from no more than a single session of the hearing at which testimony or other evidence is received, provided the member certifies in writing that he or she has examined all evidence received at the missed session. Any session must meet applicable quorum requirements.

ARTICLE 7: To see if the Town will vote to amend the Zoning By-laws as follows: replace in its entirety the Sheffield Zoning By-Laws with the proposed Zoning By-Laws entitled "Sheffield Zoning By-Laws" dated December 4, 2006, a copy of which is on file with the Town Clerk and is attached hereto, or take any other action relative thereto.

ARTICLE 8: To see if the Town will vote to amend the Town of Sheffield Zoning By-laws as follows: Adopt as the town's official zoning map the map labeled "Sheffield Zoning



# *Town Meeting Warrant*

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Map" dated May 1, 2006 a copy of which is on file with the Town Clerk.

ARTICLE 9: To see if the Town will vote to amend the Sheffield Zoning By-laws as follows, or take any other action relative thereto: 1) Add Article 5.3.e Common Driveway (or Section 6.1.5 Common Driveway and Section 6.1.5.1, if Article 8 above has been approved): "Any driveway which will service more than one (1) lot will be designated a common driveway and shall be designed and constructed in accordance with the requirements of the Rules and Regulations Governing the Subdivision of Land in Sheffield, MA as most recently amended." and 2) delete in its entirety "Article 5.3.d.5."

ARTICLE 10: To see if the Town will vote to amend the Town of Sheffield Zoning By-Laws as follows, or take any other action relative thereto: Change the wording of the first sentence of Article 7.01 to read: "Any application for a special permit for a use listed in Articles 4.6 or 4.8, which will involve the construction or occupancy of between 10,000 square feet of gross floor area and 50,000 square feet of gross floor area, or the exclusive dedication of more than ten (10) acres of land area to such use, shall be required to submit, as part of the special permit application submission, a Detailed Development Analysis."

ARTICLE 11: To see if the Town will vote to amend the Town of Sheffield Zoning By-Laws as follows, or take any other action relative thereto: Change the wording of the first sentence of Section 9.4.5 to read: "Any applicant for a Special Permit from the Planning Board for a use permitted by Special Permit in the Commercial District or in the General Business District which will involve the construction or occupancy of 10,000 or more square feet of gross floor area, or the exclusive dedication of more than 10 acres of land area to such use, shall be required to submit, as part of the Special Permit application submission, a Detailed Development Analysis."

ARTICLE 12: To see if the Town will vote to amend the Town of Sheffield Zoning By-Laws as follows, or take any other action relative thereto:

(1) Add the following to Article 2 Definitions:  
"Boarding house: A building, other than a hotel, inn, motel, bed and breakfast or guest house establishment, with not more than 10 boarder units or 10 boarders, where lodging and meals are provided by the proprietor for compensation. A boarding house does not provide dwelling units for its boarders and is not open to transient guests (guests staying less than 30 days). A boarding house may provide a microwave, beverage machines, refrigerator and similar devices for the preparation of drinks or light snacks by boarders between meals. The proprietor may construct an accessory single-family dwelling unit located within the building where

the principal use is the boarding house.

Boarder: A person who rents space in a boarding house, without separate cooking facilities, for living, dining and sleeping purposes.

Boarder unit: The space occupied exclusively by 1 or 2 boarders in a boarding house."

(2) Add: Article 4.4.h

"Boarding house, including an accessory single-family dwelling unit located within the boarding house as a Use Permitted By Special Permit in the Village Center District. For each of the up to 10 boarder units, the minimum lot area requirement is increased by an additional 20,000 square feet and the lot frontage requirement is increased by an additional 25 feet over that required for a single family residence. The Planning Board may, by Special Permit, permit a Boarding house within the Village Center District in accordance with the following: 1) For an existing building, there shall be no significant alteration of the building's exterior other than to meet safety codes or to provide general maintenance, such as painting or upgrading windows for energy efficiency. Such general maintenance and all other alterations shall be done in keeping with the character of the building and immediate neighborhood; 2) For a new building, the exterior shall be in keeping with the character of the immediate neighborhood; 3) Parking requirements shall be presented as part of the Special Permit application and shall include a minimum of 1 parking space per boarder unit and a maximum of 1.5 parking spaces per boarder unit, plus reasonable parking required for the proprietor and staff; 4) All parking shall be in conformance with Section 6.1, be off-street and screened from adjacent properties; 5) The boarding house shall not be located within 1,000 feet of another boarding house. The Planning Board may waive this requirement if it determines that such a waiver will not have an adverse impact on the neighborhood; 6) All trash containers shall be enclosed, secured from entry and screened; 7) Provisions shall be made for adequate snow removal and trash and garbage disposal; and 8) Sufficient enclosed area and equipment shall be provided for laundering and drying purposes, unless such services are provided to boarders. Any outside area shall be enclosed by a solid screen of evergreen shrub, solid fencing at least 6 feet high or as otherwise determined by the Planning Board."

(3) Add to Article 5.1.b.5: "Every boarding house hereafter erected, established or relocated shall be on a lot of such shape that a square with 250 feet on each side will fit on the lot."

ARTICLE 13: To see if the Town will vote to amend the Town of Sheffield Zoning By-Laws as follows, or take any other action relative thereto:

1) Add to Section 10 Definitions:

"Boarding house: A building, other than a hotel, inn, motel, bed and breakfast or guest house establishment, with not more than 10 boarder units or 10 boarders, where lodging and meals are provided by the proprietor for compensation.



A boarding house does not provide dwelling units for its boarders and is not open to transient guests (guests staying less than 30 days). A boarding house may provide a microwave, beverage machines, refrigerator and similar devices for the preparation of drinks or light snacks by boarders between meals. The proprietor may construct an accessory single-family dwelling unit located within the building where the principal use is the boarding house.

Boarder: A person who rents space in a boarding house, without separate cooking facilities, for living, dining and sleeping purposes.

Boarder unit: The space occupied exclusively by 1 or 2 boarders in a boarding house."

2) Add To Section 3.1.3 Table of Use Regulations:

District: R VC C GB Notes A. 5. Boarding house  
N PB N N Refer to Section 3.2.6.2

(N = Not Allowed; PB = Special Permit/Planning Board; R=Rural District, VC=Village Center District, C= Commercial District, GB=General Business District)

3) Add to Section 3.2.6 Accessory Single-Family Dwelling Unit / Village Center District:

"Section 3.2.6.2. A single-family dwelling unit is allowed in the Village Center District as an accessory use located within a building where the principal use is a boarding house."

4) Add to Section 4.2.2 Additional Dimensional Regulations: "4.2.2.1.3. In the Village Center District for a boarding house allowed by Special Permit, for each of the up to 10 boarder units the minimum lot area requirement is increased by an additional 20,000 square feet and the lot frontage requirement is increased by an additional 25 feet over that required for a single-family residence."

5) Add to Section 4.3.2 Residential Lot Footprint: "Section 4.3.2.5. Every boarding house hereafter erected, established or relocated shall be on a lot of such shape that a square with 250 feet on each side will fit on the lot."

6) Add to Section 7.0 Special Regulations: "Section 7.3 Requirements for Boarding Houses. The Planning Board may, by Special Permit, permit a Boarding house within the Village Center District in accordance with the following:

1. For an existing building, there shall be no significant alteration of the building's exterior other than to meet safety codes or to provide general maintenance, such as painting or upgrading windows for energy efficiency. Such general maintenance and all other alterations shall be done in keeping with the character of the building and immediate neighborhood.

2. For a new building, the exterior shall be in keeping with the character of the immediate neighborhood.

3. Parking requirements shall be presented as part of the Special Permit application and shall include a minimum of 1 parking space per boarder unit and a maximum of 1.5 parking spaces per boarder unit, plus reasonable parking required for the proprietor and staff.

4. All parking shall be in conformance with Section 6.1, be off-street and screened from adjacent properties.

5. The boarding house shall not be located within 1,000 feet of another boarding house. The Planning Board may waive this requirement if it determines that such a waiver will not have an adverse impact on the neighborhood.

6. All trash containers shall be enclosed, secured from

entry and screened.

7. Provisions shall be made for adequate snow removal and trash and garbage disposal.

8. Sufficient enclosed area and equipment shall be provided for laundering and drying purposes, unless such services are provided to boarders. Any outside area shall be enclosed by a solid screen of evergreen shrub, solid fencing at least 6 feet high or as otherwise determined by the Planning Board."

You are directed to serve this Warrant by posting an attested copy in seven public places in the Town, not less than fourteen days before the date of said meeting.

Hereof Fail not, and make return of this Warrant to the Town Clerk, with your doings thereon, at or before the time of said meeting.

Given under our hands and the Seal of the Town of Sheffield this fifteenth day of November in the year of our Lord Two Thousand and Six.

BOARD OF SELECTMEN:

David D. Macy Julie M. Hannum James T. Collingwood

## SPECIAL TOWN MEETING

**Monday, Dec. 4, 7pm, at  
Mt. Everett High School**

## **Town of Sheffield Ice Skating at Berkshire School Rink**

Berkshire School is again providing free open skating hours for Sheffield and Ashley Falls residents at their indoor skating rink. In December, community skating is on Sundays Dec. 3, 10 and 17 from 6-8pm.

Free skating rules:

- Sheffield residents only (bring proof of residency).
- Children under 14 must be accompanied by a parent.
- No hockey, speed skating or horseplay.

## **Sheffield TIMES**

Community Newsletter for Sheffield & Ashley Falls, MA

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Published by:

The Sheffield Association  
P.O. Box 1339, Sheffield, MA 01257

# DON'T FORGET!

SPECIAL TOWN MEETING, MONDAY, DECEMBER 4,  
AT 7PM AT MT. EVERETT HIGH SCHOOL

PLEASE SUPPORT THE SHEFFIELD TIMES!

*I want to support the Sheffield Times!* Enclosed is my tax-deductible donation of \_\_\_\_\_, made payable to  
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Name: \_\_\_\_\_  
(as you would like it to appear in acknowledgments)

Address: \_\_\_\_\_  
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**Sheffield  
TIMES**

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